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*Kathryn Marley*  
Kathryn Marley

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8-13-03  
ATTY DOCKET: RXSD 1000-1

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of Inventor:  
**Vincent Pluvinae et al.**

Application No.: 09/407,751

Filed: 28 September 1999

Title: **System and Method for Delivering Customized Audio Data**

**RECEIVED**

**AUG 08 2003**

**Technology Center 2600**

Group Art Unit: 2747

Examiner: Ho

Customer No. 22470

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. §1.56**

Sir:

It is requested that the information identified in this statement be considered by the Examiner and made of record in the above-identified application. This statement is not intended to represent that a search has been made or that the information cited in the statement is, or is considered to be, material to patentability as defined in 37 C.F.R. 1.56.

Enclosed with this statement is a Form PTO-SB/08. The Examiner is requested to initial the form and return it to the undersigned in accordance with M.P.E.P. 609.

Also enclosed with this statement is a copy of each cited document as required by 37 C.F.R. 1.98.

This statement should be considered under 37 C.F.R. 1.97(b) because it is being filed before the mailing date of the first Office Action on the merits.

**Fee Authorization.** The Commissioner is hereby authorized to charge underpayment of any additional fees or credit any overpayment associated with this communication to Deposit Account No. 50-0869 (RXSD 1000-1). A duplicate copy of this authorization is enclosed.

Respectfully submitted,

HAYNES BEFFEL & WOLFELD LLP

Date: 31 July 2003

By: *Mark A. Haynes*

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